

Probate Notes for September 10, 2012

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you wish to continue a matter, please contact the civil division at (530) 406-6704.

Please note: The department and time for probate matters is **Department One at 9:00 a.m.**, unless otherwise noted.

CASE: Conservatorship of Alexander
Case No. CV PC 08-83

The Court notes the following deficiencies:

- (1) The requisite original bank statements for the account ending month have not been filed with the Court. The statements filed are *copies*. (Prob. Code, § 2620, subd. (c)(2).)
- (2) The requisite original billing statements for the residential care facility have not been filed with the Court. (Prob. Code § 2620, subd. (c)(5).)
- (3) Petitioner requests that the Court authorize disbursement of the assets of the conservatorship to petitioner as community property. However, petitioner fails to provide the Court with sufficient information regarding decedent's estate to grant a request to liquidate the estate under Probate Code section 2631.
- (4) Petitioner fails to establish the estate is being managed and controlled with ordinary care and diligence based on her failure to establish a separate bank account for the conservatorship's estate. (Prob. Code, § 2401 et seq.)
- (5) Petitioner fails to provide two separate accounts as required. (Prob. Code, § 2620, subd. (b).)

CASE: Estate of Gray
Case No. CV PB 12-11

It is recommended to grant the petition for final distribution on waiver of accounting and for allowance of statutory compensation to attorneys for ordinary services. (Prob. Code, § 11600.)

CASE: Estate of Molina
Case No. CV PB 12-148

If proof of publication is filed with the Court, it is recommended to grant the petition for letters of administration and for authorization to administer the estate under the Independent Administration of Estates Act. (Prob. Code, § 8000 et seq.)

CASE: Estate of Morton
Case No. CV PB 12-140

It is recommended to grant the petition for probate of will and letters testamentary and for authorization to administer the estate under the Independent Administration of Estates Act. (Prob. Code, § 8000 et seq.)